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September 15, 2005

TO: Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Art Unit 2891 - Examiner Zarneke, David A

FROM: George O. Saile, Reg. No. 19,572  
28 Davis Avenue  
Poughkeepsie, N.Y. 12603

SUBJECT: Serial #: 10/692,028  
File Date: 10/23/2003  
Inventor: Beichao Zhang  
Examiner: Zarneke, David A  
Art Unit: 2891  
Title: Via Electromigration Improvement by Changing the Via  
Electromigration Improvement by Changing the Via Bottom  
Geometric Profile

## RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Election of Species Requirement in the Office Action dated Aug. 15, 2005. In that office action, applicant was required under 35 U.S.C. 121

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Sept. 15, 2005.

Signature   
Stephen B. Ackerman, Reg. No. 37,761

Date: Sept. 15, 2005

to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that currently no claim is generic.

The species stated are:

I) within the method claims 1-31 are two main groups:

A) one that etches through the ARC;

Within this group A are a subset of species to be elected:

1) the via bottom formed to look like:

a) a continuous curve; or

b) a flat bottom portion and a curved bottom portion;

or

B) one that stops etching at the ARC.

Applicant provisionally elects to be examined the species described by the Examiner as Group IA, subset 1a), which reads on Claims 1-9 and 13-16. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be

forced to bear if multiple species are separately examined. Furthermore, the field of search must necessarily cover all species, in addition to other related Classes and subclasses, to provide a complete and adequate search.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SBA', with a stylized flourish extending from the end.

Stephen B. Ackerman, Reg. No, 37,761  
(845) 452-5863